

Atty's Dkt: MONTIEL-ORTIZ1

In re Application of:
 Leobrado MONTIEL-ORTIZ et al.
 Serial No. 10/560,929
 IA Filing Date: September 16, 2003
 For: RANDOM COPOLYMER TO MANUFACTURE...

) Application Division
) ATTN: PCT
) Washington, D.C.
) Confirmation No. 4079
) Date: September 25, 2006

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
 Customer Service Window
 Randolph Building, Mail Stop Missing Parts
 401 Dulany Street
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated July 28, 2006. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT information and filing date.
 [] An exact English language translation of the PCT application as originally filed.
 [] Exact English language translation of the Annexes to the International Preliminary Examination Report containing substitute pages ___ of the specification and new claims ___ to be used for examination.
 [] A Preliminary Amendment [] Fees are reduced due to elimination of claim multiple dependencies.
 [] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy.
 [] An Information Disclosure Statement with 08A- 1449 and references.
 [XX] Additional fees as calculated below:

Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [X] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
20- 20 =		X \$ 50.00
1- 3 =		X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS		\$490.00
Reduction of 1/3 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$ >
SUBTOTAL		\$490.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
TOTAL NATIONAL FEE		\$490.00

- [] Surcharge for late filing of the Declaration was paid on _____.
 [] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity		
Response Filed Within		
[] First	-	\$ 60.00
[] Second	-	\$ 225.00
[] Third	-	\$ 510.00
[] Fourth	-	\$ 795.00
[] Fifth	-	\$1,080.00

month after time period set

Other Than Small Entity		
Response Filed Within		
[] First	-	\$ 120.00
[] Second	-	\$ 450.00
[] Third	-	\$1,020.00
[] Fourth	-	\$1,590.00
[] Fifth	-	\$2,160.00

month after time period set

[XX] Total fees enclosed: \$490.00

[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$490.00 is enclosed to cover the above fees.

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

09/28/2006 FAXYPAGH 00000047 10560929

01 FC:1616
 02 FC:1617

360.00 OP
 130.00 OP

RLB:dac

G:\BN\B\bece\Montiel-Ortiz1\pto\2006-09-25\missingnationaltransmittal\Exclaims.doc

BROWDY AND NEIMARK, P.L.L.C.
 Attorneys for Applicant(s)

By:

Roger L. Browdy

Registration No. 25,618

BEST AVAILABLE COPY